

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Town and Country Planning (General Development Procedure) (Scotland) Order 1992

Application for Planning Permission

Reference : 08/02063/FUL

**To : Mr & Mrs M McCrave per Sally Ruel Architect Sunnyside Studio Heriot Scottish Borders
EH38 5YE**

With reference to your application validated on **12th December 2008** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Erection of dwellinghouse with integral garage

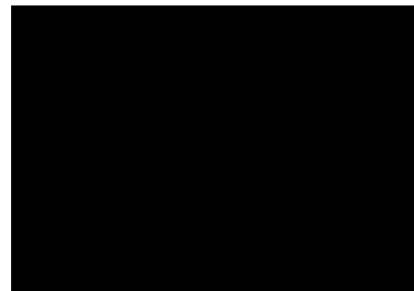
at : Site Of Old Stichill House South West Of Lairds Hill Stichill Scottish Borders

the Scottish Borders Council hereby **grant planning permission** in accordance with the approved plan(s) and the particulars given in the application and in accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 **subject to the following condition:-**

that the development to which this permission relates must be begun within five years from the date of this consent.

and **subject to the conditions on the attached schedule** imposed by the Council for the reasons stated.

**Dated 9th February 2009
Planning and Economic Development
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**



Signed *SELH*

.....
Head of Planning & Building Standards

Application reference : 08/02063/FUL

SCHEDULE OF CONDITIONS

- 1 Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the buildings have been submitted to and approved in writing by the Planning Authority, and thereafter no development shall take place except in strict accordance with those details.
Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 2 The roofing material to be natural slate.
Reason: To safeguard the visual amenity of the area.
- 3 The proposed development shall incorporate measures to maximise the efficient use of energy and resources, and the incorporation of sustainable building techniques and renewable energy technologies, in accordance with the scheme of details that shall first have been submitted to and approved in writing by the planning authority
Reason: To ensure the development minimises any environmental impact.
- 4 Prior to the commencement of the development, the access track from the entrance at the site along its length as far as the junction with Stichill Stables (as identified in green on the approved plan) to be improved with blinding material and surfacing appropriate for use by domestic vehicles, with the specification submitted for written approval by the Planning Authority.
Reason: To ensure that the dwellinghouse is served by an access of a suitable standard and in the interests of road safety.
- 5 The vehicular access to the site and the on-site parking and turning for two vehicles, excluding garages, must be provided before the dwellinghouse is occupied and retained in perpetuity.
Reason: In the interests of road safety.
- 6 Details of all proposed means of enclosure around the site shall be submitted to and approved in writing by the Planning Authority before work on the site is commenced. The development then to be implemented in accordance with the approved scheme.
Reason: To enable the proper effective assimilation of the development into its wider surroundings.
- 7 No development shall take place except in strict accordance with a scheme of soft landscaping works, which shall first have been submitted to and approved in writing by the Planning Authority, and shall include:
 - i. indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration

- ii. location of new trees, shrubs, hedges and grassed areas
- iii. schedule of plants to comprise species, plant sizes and proposed numbers/density
- iv. programme for completion and subsequent maintenance.

Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.

- 8 None of the trees to be within the application site shall be felled, lopped, lifted or disturbed in any way without the prior consent of the Planning Authority.
Reason: The existing trees represent an important visual feature which the Planning Authority considered should be substantially maintained.

- 9 Before any part of the permitted development is commenced, the trees to be retained on the site shall be protected by a chestnut paling fence 1.5 metres high, placed at a minimum radius of one metre beyond the crown spread of each tree, and the fencing shall be removed only when the development has been completed. During the period of construction of the development:
- (a) No excavations, site works, trenches or channels shall be cut, or pipes or services laid in such a way as to cause damage or injury to the trees by interference with their root structure;
 - (b) No fires shall be lit within the spread of the branches of the trees;
 - (c) No materials or equipment shall be stored within the spread of the branches of the trees;
 - (d) Any accidental damage to the trees shall be cleared back to undamaged wood and be treated with a preservative if appropriate;
 - (e) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, or trenches excavated except in accordance with details shown on the approved plans.

Reason: In the interests of preserving the health and vitality of existing trees on the development site, the loss of which would have an adverse effect on the visual amenity of the area.

- 10 Details of the means of surface water drainage to be submitted to and approved by the Planning Authority before the development is commenced. The development then to be completed in respect of the approved scheme.
Reason: To ensure that the site is adequately serviced.

- 11 The means of water supply to be submitted to and approved by the Planning Authority before the development is commenced. If the water supply is to be a private supply a report by a qualified person is to be submitted to the Planning Authority containing information on the quantity and quality of the private water supply to serve the proposed dwellinghouse and the impact of the proposal on the water supply to existing properties. The development then to be completed in accordance with the approved scheme.
Reason: To ensure that the site is adequately serviced.

- 12 The right of way on the south east boundary of the site to be kept open and free from obstruction or encroachment during the construction of the dwellinghouse and thereafter. This right of way should not to form part of the curtilage of the dwellinghouse and should not be stopped up or obstructed during or after development.
Reason: To ensure the right of way remains open and free from obstruction.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

In respect of condition 7, the planting scheme to include a hedge of native species along the boundaries of the site.

In respect of condition 10, the Planning Authority normally requires that drainage complies with sustainable urban drainage system guidance (SUDS). The Planning Authority will only consider alternative arrangements where SUDS is not appropriate. Advice on the most appropriate drainage system can be obtained from Scottish Water.

The consultation response from the Council's Environmental Health Department is attached for the information of the applicant.

N.B: This permission does not include any consent, approval or licence necessary for the proposed development under the building regulations or any other statutory enactment and the development should not be commenced until all consents are obtained.

In advance of carrying out any works it is recommended that you contact Utility Bodies whose equipment or apparatus may be affected by any works you undertake. Contacts include:

Transco, Susiephone Department, 95 Kilbirnie Street, Glasgow, G5 8JD
Scottish Power, Riccarton Mains Road, Currie, Edinburgh, EH14 5AA
Scottish Water, Developer Services, 419 Balmore Road, Possilpark, Glasgow G22 6NU
British Telecom, National Notice Handling Centre, PP404B Telecom House, Trinity Street, Stoke on Trent, ST1 5ND
Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose, TD6 0SA
Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL
BP Chemicals Ltd, PO Box 21, Bo'ness Road, Grangemouth, FK2 9XH
THUS, Susiephone Department, 4th Floor, 75 Waterloo Street, Glasgow, G2 7BD
Susiephone System – **0800 800 333**

If you are in a Coal Authority Area (Carlops or Newcastleton), please contact the Coal Authority at the following address:

The Coal Authority 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire. NG18 4RG

If the applicant is aggrieved by the decision of the Planning Authority, an appeal may be made to the Scottish Ministers under Section 47 of the Town and Country Planning (Scotland) Act 1997, within six months from the date of this notice. The appeal should be addressed to the Chief Reporter, Scottish Executive Inquiry Reporter's Unit, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR.

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part V of the Town and Country Planning (Scotland) Act